

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**KYRON LA-TRELL WILLIAMS,
A MINOR , BY AND THROUGH HIS MOTHER AND
NATURAL GUARDIAN, LAVINA SMITH,
INDIVIDUALLY AND ON BEHALF OF ALL HEIRS AT
LAW AND WRONGFUL DEATH BENEFICIARIES OF
MARSHAWN WILLIAMS, DECEASED AND DONNIE
WILLIAMS**

PLAINTIFFS

**ZA'RIYA WILLIAMS AND
THE ESTATE OF
MARSHAWN WILLIAMS**

INTERVENOR PLAINTIFFS

VS.

CIVIL ACTION NO.: 3:15-cv-00103-HTW-LRA

CITY OF YAZOO, MISSISSIPPI, ET AL.

DEFENDANTS

ORDER REGARDING CERTAIN MOTIONS

BEFORE THIS COURT are the following motions: defendants' Motion in Limine to Exclude Testimony by Plaintiffs' Proffered Expert John A. Tisdale Regarding Plaintiffs' 42 U.S.C. § 1983 Claims and State Law Claims [**Docket no. 100**]; plaintiffs' Unopposed Motion for Extension of Time to File Response/Reply as to [99] Memorandum in Support of Motion, [98] Motion for Summary Judgment, [100] Motion in Limine to Exclude Testimony by Plaintiffs' Proffered Expert John A. Tisdale [**Docket no. 101**]; defendants' Unopposed Motion for Extension of Time to File Response/Reply as to [106] Response in Opposition to Motion,,, [sic] [98] Motion for Summary Judgment [**Docket no. 108**]; and defendants' Unopposed Motion for Extension of Time to File Response/Reply as to [106] Response in Opposition to Motion,,, [sic] [98] Motion for Summary Judgment [**Docket no. 109**].

After a review of the court's docket sheet and the submissions of the parties, the court makes the following rulings.

I. Defendants' Motion in Limine to Exclude Testimony by Plaintiffs' Proffered Expert John A. Tisdale Regarding Plaintiffs' 42 U.S.C. § 1983 Claims and State Law Claims [Docket no. 100]

On January 27, 2017, the defendants filed their motion in limine asking this court to bar the plaintiffs from offering their proffered expert witness, John A. Tisdale. [Docket no. 100]. In response, the plaintiffs filed their Notice of Withdrawal of Expert John Tisdale [Docket no. 105] on March 6, 2017.

This court, therefore, finds the defendants' Motion in Limine MOOT and DENIES it as such.

II. Plaintiff's Three (3) Unopposed Motions for Extension of Time to File Replies

The defendants filed their motion for summary judgment [Docket no. 98] and their motion in limine [Docket no. 100] on January 27, 2017. The plaintiffs filed their response in opposition to the motion for summary judgment and their notice of withdrawal of expert Tisdale on March 6, 2017. The defendants filed their reply to the response in opposition on March 22, 2017.

All three motions for extension of time were unopposed and timely filed. This court finds that the responses have all been filed and therefore these three motions for extensions of time are MOOT and DENIED as such. This court would have granted the three (3) unopposed motions for extension of time were they not already rendered moot.

IT IS, THEREFORE, ORDERED that the defendants' Motion in Limine to Exclude Testimony by Plaintiffs' Proffered Expert John A. Tisdale Regarding Plaintiffs' 42 U.S.C. § 1983 Claims and State Law Claims [Docket no. 100] is hereby MOOT and DENIED as such.

IT IS FURTHER ORDERED that the following motions are also MOOT and DENIED as such: plaintiffs' Unopposed Motion for Extension of Time to File Response/Reply as to [99]

Memorandum in Support of Motion, [98] Motion for Summary Judgment, [100] Motion in Limine to Exclude Testimony by Plaintiffs' Proffered Expert John A. Tisdale [**Docket no. 101**]; defendants' Unopposed Motion for Extension of Time to File Response/Reply as to [106] Response in Opposition to Motion,,, [sic] [98] Motion for Summary Judgment [**Docket no. 108**]; and defendants' Unopposed Motion for Extension of Time to File Response/Reply as to [106] Response in Opposition to Motion,,, [sic] [98] Motion for Summary Judgment [**Docket no. 109**].

SO ORDERED this the 5th day of September, 2017.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE